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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

8 * * *

9 LEWIS STEWART,

Case No. 3:17-cv-00132-MMD-CBC

10 Plaintiff,

ORDER

11 v.

12 ROMEO ARANAS et al.,

13 Defendants.

15 I. DISCUSSION

16 This action is a *pro se* civil rights complaint filed pursuant to 42 U.S.C. § 1983 by
17 an individual who was in the custody of the Nevada Department of Corrections at the time
18 he initiated this case. At the time Plaintiff initiated this case, Plaintiff submitted an
19 application to proceed *in forma pauperis* for prisoners. (ECF No. 1). In this Court's March
20 12, 2018 screening order, the Court deferred a decision on the application to proceed *in*
21 *forma pauperis*. (ECF No. 3 at 9). A follow-up order also imposed a 90-day stay and the
22 Court entered a subsequent order in which the parties were assigned to mediation by a
23 court-appointed mediator. (ECF Nos. 5, 10). The Office of the Attorney General has filed
24 a status report indicating that settlement has not been reached and informing the Court
25 of its intent to proceed with this action. (ECF No. 19).

26 The Court now directs Plaintiff to file an application to proceed *in forma pauperis*
27 by a non-prisoner within thirty (30) days from the date of this order or pay the full filing fee
28 of \$400. After the Court determines the matter of the payment of the filing fee, the Court

1 will issue an order on the matter of service.

2 **II. CONCLUSION**

3 For the foregoing reasons, IT IS ORDERED that Plaintiff's application to proceed
4 *in forma pauperis* for prisoners (ECF No. 1) is DENIED as moot.

5 IT IS FURTHER ORDERED that the Clerk of the Court SHALL SEND Plaintiff the
6 approved form application to proceed *in forma pauperis* by a non-prisoner, as well as the
7 document entitled information and instructions for filing an *in forma pauperis* application.

8 IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order,
9 Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis* for
10 non-prisoners; or (2) pay the full filing fee of \$400.

11 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,
12 the Court will dismiss this action with prejudice.

13 IT IS FURTHER ORDERED that upon the resolution of the matter of the filing fee
14 this Court shall issue a subsequent order on the matter of service.

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16 DATED THIS 10th day of October 2018.

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UNITED STATES MAGISTRATE JUDGE

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